IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.331 OF 2006

In

SUIT NO.282 OF 2006

Dinyar J. Jamshedji & Ors. : Plaintiffs

V/s.

Kashmira Bobby Changakotti & Ors. : Defendants

...

Mr.B.H.P. Sarma for the plaintiffs.

Ms J.M.Sidhwa i/b. M/s.Mulla & Mulla & Craigie Blunt & Caroe for defendant nos.1 & 2.

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CORAM : S.A.BOBDE, J.

DATE : JANUARY 29, 2007.

P.C.

1. The learned counsel for the plaintiffs states that the defendant no.3 cannot be served. Hence, the Notice of Motion is dismissed as against the said defendant.

2. As regards the other defendants, Ms Sidhwa, the leaned counsel for the defendant nos.1 & 2, states that the defendant nos.1 and 2 are agreeable to continue the undertaking dated 17.2.2006 given to this Court till the disposal of the suit. The undertaking is accepted

accordingly.

3. Notice of Motion is disposed of accordingly.

S.A. BOBDE, J.